

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86704 of 2023

Arising Out of PS. Case No.-282 Year-2021 Thana- TRIVENIGANJ District- Supaul

Ramanand Thakur Son Of Jagdev Thakur Resident Of Village - Mayurwa,
Ward No. 04, Police Station - Triveniganj, Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kanika, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Ms. Kanika, learned counsel for the petitioner
and Mr. Pradeep Narain Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Triveniganj P.S. Case No. 282 of 2021, F.I.R. dated 01.09.2021 for the offences punishable under Sections 143, 147, 149, 342, 341, 323, 302, 120B, 201 and 379 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner have brutally assaulted the brother of the informant resulting into his death and threw his dead body on the road.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. She further submits that the



informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion the petitioner has been made accused in the present case. She further submits that police after completion of investigation has submitted a charge sheet and the prosecution had found that the I.O had not sent the petitioner and 3 other accused persons and the learned A.C.J.M-I differing with the final form/charge sheet took cognizance on 15.06.2023 against all the accused persons including the petitioner. She further submits that the similarly situated co-accused persons, namely, Hari Narayan Yadav @ Hari Narayan Thakur and Yogendra Yadav @ Yogendra Kumar Yadav have been granted anticipatory bail by this Hon'ble Court vide order dated 29.02.2024 passed in Cr. Misc. No. 74300 of 2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Supaul in connection



with Triveniganj P.S. Case No. 282 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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